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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Tsang et al. ) Examiner: Daniel L. Greene, Jr.  
Application No.: 10/720,035 ) Art Unit: 3663  
Filed: 11/21/2003 ) Atty. Docket: 35811-00001  
For: NUCLEAR VOLTAIC CELL

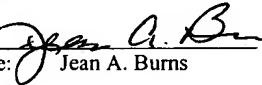
RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence and any documents indicated as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450"

on: August 8, 2005

By:   
Name: Jean A. Burns

Dear Sir:

In response to the restriction requirement mailed July 11, 2005, requiring an election to Groups I, II, III, or IV, Applicant hereby elects without prejudice Group I, Claims 1-29. Claims 30-78 are withdrawn from prosecution without prejudice. This election is made without traverse.

In response to the election of species requirement, Applicant hereby elects without prejudice the following species:

- 3a. The embodiment wherein the semiconductor is a p-type semiconductor.
- 4b. The embodiment wherein the nuclear material is in solution with the semiconductor material.
- 5a. The embodiment wherein the metallic contact layer forms a low resistance contact.
6. The embodiment wherein the liquid semiconductor material is an alloy of chalcogen with metal consisting of selenium with sodium.
- 7b. The embodiment wherein the nuclear material is non-fissile.
9. The embodiment wherein the type of radioactive isotope consists of a beta particle emitter only.

Applicant believes that the following claims are readable upon the elections made above:  
claims 23, 24, 25, 27, 28, and 29.

Applicant does not believe that any fee is due with this response, such as a fee for an extension of time, but if so, please charge any required fees due, and credit any overpayment, to Deposit Account No. 50-0792.

Respectfully submitted,

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Date: August 8, 2005